



**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

254

CRM-M-8625-2024 (O&M)  
Date of Decision:- 02.04.2025

LOVEPREET SINGH ALIAS BHOLA

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Ms. Harpreet Kaur, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

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**SANJIV BERRY, J. (ORAL)**

1. Short reply dated 01.04.2025 filed in the form of an affidavit of Deputy Superintendent of Police, Nihal Singh Wala, District Moga, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
172	18.10.2022	22(B), 22(C) of the NDPS Act	Nihal Singh Wala, District Moga

3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. She submits that the petitioner has no other criminal antecedents and the



alleged recovery has been planted upon the petitioner. She further submits that the petitioner is in custody since 28.10.2022 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

4. *Per contra*, learned State counsel while referring to the short reply filed by the State has opposed the petition on the ground that the petitioner along with his co-accused were apprehended by the police and from their possession commercial quantity of contraband was recovered. Thus the petitioner does not deserve the concession of bail.

5. Heard learned counsel for the parties and perused the record.

6. After considering the rival contentions and perusing the record, it transpires that on 18.10.2022, the police party apprehended two men present in a vacant plot, who were counting strips of intoxicant tablets. Upon enquiry they disclosed their names as Ramandeep Singh and Lovepreet Singh (petitioner herein). Thereafter, search was conducted and 30 strips of Cobedol-100 SR mg, each strip containing 10 tablets, i.e. 300 tablets and 20 loose intoxicant tablets were recovered. Accordingly, the petitioner along with co-accused Ramandeep Singh were arrested. As per the FSL report, 300 tablets were containing Tramadol Hydrochloride Salt, having total weight 114.9 grams, which though falls within the category of non-commercial quantity, however, the 20 loose tablets were containing Etizolam salt having 2.76 grams weight, which falls within the ambit of commercial quantity. The petitioner was apprehended by the police in



conscious possession of commercial quantity, thus, hit by the rigors of Section 37 of the NDPS Act.

7. In these circumstances, considering the serious nature and gravity of offence involved and the fact that commercial quantity of contraband has been recovered from the petitioner, he is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**02.04.2025**

*S.Sharma(syr)*

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No